

### STATEMENT OF BASIS (AI No. 24671)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0106372 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** Durward Dunn, Inc.  
Construction Equipment Yard  
110 Veteran's Boulevard, Suite 540  
Metairie, Louisiana 70005

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Michelle Bickham

**DATE PREPARED:** July 24, 2009

#### 1. PERMIT STATUS

##### A. Reason For Permit Action:

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term

B. LPDES permits – LA0106372  
LPDES permit effective date: August 1, 2004  
LPDES permit expiration date: July 31, 2009

C. Date Application Received: February 23, 2009

#### 2. FACILITY INFORMATION

##### A. FACILITY TYPE/ACTIVITY - equipment storage and fabrication yard

Durward Dunn, Inc. is an existing equipment storage and fabrication yard. The facility fabricates steel pipes and stores cranes in their yard. The dry dock at the facility is used strictly for the repair of the facility's own crane and deck barges.

##### B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I\*
3. Wastewater Type: II
4. SIC code: 3498

\*BPJ because it is a small facility with little activity.

C. LOCATION - 43564 Camp Road, Slidell, St. Tammany Parish  
Latitude 30° 13' 37", Longitude 89° 40' 28"

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### 3. **OUTFALL INFORMATION**

#### Outfall 001

Discharge Type: treated sanitary wastewater  
Treatment: sewage treatment plant, artificial wetland  
Location: at the point of discharge from the artificial wetland  
Flow: 75 gpd  
Discharge Route: private canal thence to West Pearl River

#### Outfall 002

Discharge Type: dry dock ballast water  
Treatment: none  
Location: at the point of discharge from the dry dock  
Flow: 6,250 gpd  
Discharge Route: private canal thence to West Pearl River

#### Outfall 003

Discharge Type: equipment washwater  
Treatment: none  
Location: at the point of discharge from the equipment wash area  
Flow: 480 gpd  
Discharge Route: private canal thence to West Pearl River

### 4. **RECEIVING WATERS**

STREAM – private canal thence to West Pearl River

BASIN AND SEGMENT – Pearl River Basin, Segment 090202

DESIGNATED USES -   a. primary contact recreation  
                              b. secondary contact recreation  
                              c. propagation of fish and wildlife  
                              g. outstanding natural resources\*\*

\*\*As per LAC33:IX.1111.A, this use designation shall apply only to listed water bodies and not to their tributaries or distributaries unless so specified. The discharge from this facility does not go directly to the West Pearl River.

### 5. **TMDL STATUS**

Subsegment 090202 is not listed on LDEQ's Final 2006 303(d) list as impaired. However, Subsegment 090202 was previously listed as impaired for turbidity, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon

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any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for Subsegment 090202:

The TMDL's for Turbidity for Subsegments 090106, 090201, 090202, 090501 in the Pearl River Basin, Louisiana was completed on March 31, 2008. Durward Dunn, Inc. was given TSS limits for Outfall 003 in the TMDL. These limits will be placed in the permit.

## 6. CHANGES FROM PREVIOUS PERMIT

- TSS mass limits have been added to Outfall 003.
- The limits for Outfall 001 have been updated in accordance with the reissuance of the Class I Sanitary Discharge General Permit, and the weekly average limits have been changed to daily max limits.
- The limits and monitoring frequency for Outfall 002 have been changed to reflect current language for dry dock ballast.
- Additional dry dock language has been added to Part II.

## 7. COMPLIANCE HISTORY/COMMENTS

There have been no recent inspections at the facility.

DMR's were reviewed for the last two years (3/07-3/09). There were no excursions found. However, DMR's have not been submitted for Outfall 003. Durward Dunn, owner of the facility, was contacted. He stated that there has been no equipment washed at the facility during the last permitting cycle; therefore, there was no discharge from Outfall 003. He further stated that he did not realize that DMR's needed to be submitted because there was no activity. They were notified that DMR's should have been sent in for this time. They are compiling them and will submit the missing DMR's to the Office of Environmental Compliance. All other DMR's were submitted in accordance with the current permit.

## 8. EXISTING EFFLUENT LIMITS

Outfall 001 – treated sanitary wastewater

| Parameter        | LPDES                        |                               |
|------------------|------------------------------|-------------------------------|
|                  | Monthly Average              | Weekly Average                |
| Flow             | Report<br>1/6 months<br>Est. | Report<br>1/6 months<br>Est.  |
| BOD <sub>5</sub> | ---                          | 45 mg/L<br>1/6 months<br>Grab |
| TSS              | ---                          | 45 mg/L<br>1/6 months<br>Grab |

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|                |                                    |                                      |
|----------------|------------------------------------|--------------------------------------|
| Fecal Coliform | ---                                | 400 col./100mL<br>1/6 months<br>Grab |
| pH             | 6.0-9.0 s.u.<br>1/6 months<br>Grab |                                      |

Outfall 002 – dry dock ballast water

| Parameter    | LPDES                           |                             |
|--------------|---------------------------------|-----------------------------|
|              | Monthly<br>Average              | Daily<br>Maximum            |
| Flow         | Report<br>1/month<br>Est.       | Report<br>1/month<br>Est.   |
| COD          | ---                             | 250 mg/L<br>1/month<br>Grab |
| Oil & Grease | ---                             | 15 mg/L<br>1/month<br>Grab  |
| pH           | 6.0-9.0 s.u.<br>1/month<br>Grab |                             |

Outfall 003 – equipment washwater

| Parameter     | LPDES                          |                                |
|---------------|--------------------------------|--------------------------------|
|               | Monthly<br>Average             | Daily<br>Maximum               |
| Flow          | Report<br>1/3 months<br>Est.   | Report<br>1/3 months<br>Est.   |
| TSS           | ---                            | 45 mg/L<br>1/3 months<br>Grab  |
| COD           | 200 mg/L<br>1/3 months<br>Grab | 300 mg/L<br>1/3 months<br>Grab |
| Oil & Grease  | ---                            | 15 mg/L<br>1/3 months<br>Grab  |
| Visible Sheen | ---                            | No Presence<br>1/day<br>Grab   |

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|    |                                    |
|----|------------------------------------|
| pH | 6.0-9.0 s.u.<br>1/3 months<br>Grab |
|----|------------------------------------|

**9. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 090202 of the Pearl River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Alabama heelsplitter mussel, Ringed Sawback Turtle and Gulf Sturgeon, which are listed as threatened and/or endangered species. As per the Addendum to the MOA, consultation with the FWS is required if the proposed permit is into any waterbody within the subsegment 090202. Therefore, this draft permit has been submitted to the FWS for review in accordance with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

**10. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

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## **11. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

## **12. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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### Rationale for Durward Dunn, Inc.

#### 1. Outfall 001 - treated sanitary wastewater (estimated flow is 75 gpd)

| Pollutant                     | Limitation  |           | Reference                            |
|-------------------------------|-------------|-----------|--------------------------------------|
|                               | Monthly Avg | Daily Max |                                      |
|                               | mg/L        |           |                                      |
| Flow                          | Report      | Report    |                                      |
| BOD <sub>5</sub>              | 30          | 45        | Similar discharges* (BPJ), LAG530000 |
| TSS                           | 30          | 45        | Similar discharges* (BPJ), LAG530000 |
| Fecal Coliform colonies/100ml | 200         | 400       | Similar discharges* (BPJ), LAG530000 |
| pH, s.u.                      | 6.0 (min)   | 9.0 (max) | Similar discharges* (BPJ), LAG530000 |

**Treatment:** sewage treatment plant, artificial wetland

**Monitoring Frequency:** 1/6 months for all parameters at the point of discharge from the artificial wetland

**Limits Justification:** Limits and monitoring frequencies are based on current guidance for similar discharges from other industrial facilities and the Class I Sanitary Discharge General Permit, LAG530000 effective November 1, 2007.

#### 2. Outfall 002 – dry dock ballast water (estimated flow is 6,250 gpd)

| Pollutant                  | Limitation  |             | Reference                |
|----------------------------|-------------|-------------|--------------------------|
|                            | Monthly Avg | Daily Max   |                          |
|                            | mg/L        |             |                          |
| Flow <sup>1</sup>          | Report      | Report      |                          |
| COD <sup>1</sup>           | ---         | 250         | Similar discharges (BPJ) |
| Oil & Grease <sup>1</sup>  | ---         | 15          | Similar discharges (BPJ) |
| Visible Sheen <sup>2</sup> | ---         | No presence | Similar discharges (BPJ) |
| pH, s.u. <sup>1</sup>      | 6.0 (min)   | 9.0 (max)   | Similar discharges (BPJ) |

**Treatment:** none

**Monitoring Frequency:** 1/day for Visible Sheen. Flow, COD, Oil & Grease and pH shall be monitored once per event at the point of discharge from dry dock.

**Limits Justification:** Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

1. Discharge shall be sampled whenever there is a presence of a visible sheen.
2. When discharging.

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3. **Outfall 003** – equipment washwater (estimated flow is 480 gpd)

| Pollutant     | Limitation  |                      | Reference                                 |
|---------------|-------------|----------------------|---|
|               | Monthly Avg | Daily Max            |   |
|               | mg/L        |                      |   |
| Flow          | Report      | Report               |   |
| COD           | 200         | 300                  | Similar discharges*, LAG480000 (BPJ)      |
| TSS           | ---         | 45<br>(0.18 lbs/day) | Similar discharges*, LAG480000;TMDL (BPJ) |
| Oil & Grease  | ---         | 15                   | Similar discharges*, LAG480000 (BPJ)      |
| Visible Sheen | ---         | No Presence          | Similar discharges*, LAG480000 (BPJ)      |
| pH, s.u.      | 6.0 (min)   | 9.0 (max)            | Similar discharges*, LAG480000 (BPJ)      |

**Treatment:** none

**Monitoring Frequency:** 1/day for visible sheen and 1/quarter for flow, TSS, COD, oil and grease, and pH at the point of discharge from the equipment washdown area.

**Limits Justification:** Limits and monitoring frequencies are based on current guidance for similar discharges from other facilities and the Light Commercial General Permit, LAG480000 effective August 1, 2001. The limits for TSS have been set in accordance with the TMDL's for Turbidity for Subsegments 090106, 090201, 090202, 090501 in the Pearl River Basin, Louisiana completed on March 31, 2008.

Note: EPA Guidelines for Metal Products & Machinery (40 CFR Part 438) are applicable; however, more stringent state requirements for exterior equipment washwater are being placed in the permit.

\* Existing permits for similar outfalls  
BPJ Best Professional Judgement  
su Standard Units

**NOTE**

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

**STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT**

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 3498 are considered to have storm water discharges associated with industrial activity.

**For first time permit issuance**, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. **For renewal permit issuance**, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Narrative Requirements for the AI).